IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 17600 of 2004**

Between:

1 Jidgam Srinivasa Rao, S/o. Late Venkata Ramana,
R/o. 46-5-42, Uppu Street, Jampeta, Rajahmundry, East Godavari District.
2 Jidgam Satyanarayana, S/o. Late Venkata Ramana,
R/o. 46-5-42, Uppu Street, Jampeta, Rajahmundry, East Godavari District.
3 Jidgam Papayya, S/o. Late Venkata Ramana,
R/o. 46-5-42, Uppu Street, Jampeta, Rajahmundry, East Godavari District.
4 Jidgam Malleswara Rao, S/o. Late Venkata Ramana,
R/o. 46-5-42, Uppu Street, Jampeta, Rajahmundry, East Godavari District.
5 Jidgam Visweswara Rao, S/o. Late Venkata Ramana,
R/o. 46-5-42, Uppu Street, Jampeta, Rajahmundry, East Godavari District.
6 Jidgam Lakshmi, S/o. Late Venkata Ramana,
R/o. 46-5-42, Uppu Street, Jampeta, Rajahmundry, East Godavari District.

**..... PETITIONERS**

AND

1 ICICI Bank Bank Central SAMG 11 Corporate Office 192,
Anna Salai, Chennai.
2 ICICI Bank Branch Office, Near Sai Krishna Talkies Jupudi Complex,
Rajahmundry, East Godavari District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ or order direction more particularly one in the nature of Writ of Mandamus declaring the notice dated 13-07-2004 issued by the respondents herein as illegal, arbitrary null and void and contrary to the provisions of Act 54/2002 and for a consequential direction to the respondents to drop all further proceedings pursuant to the notice dt.
13-07-2004

**Counsel for the Petitioner: MR.M.V.SURESH**

**Counsel for the Respondent No.: .**

**The Court made the following :**

**ORDER:**

Against the impugned notice, dated 13.07.2004 issued under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, (for brevity ‘ the Act’) an alternative remedy is available by way of appeal under Section 17 of the Act. Without exhausting the said remedy, this writ petition cannot be maintainable.

Accordingly, without expressing any opinion on merits of the case, the writ petition is disposed of granting leave and liberty to the petitioner to work out appropriate remedy as available under the statute. No costs.

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30-09-2004

klp

To

1 ICICI Bank Bank Central SAMG 11 Corporate Office 192,
Anna Salai, Chennai.
2 ICICI Bank Branch Office, Near Sai Krishna Talkies Jupudi Complex,
Rajahmundry, East Godavari District.

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